

PROCEEDINGS OF THE BROWN COUNTY
HUMAN SERVICES COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Human Services Committee** was held on Tuesday, June 23, 2010 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

Present: Pat Evans, Chairman, Carole Andrews, Jesse Brunette, Steve Fewell,
Pat Moynihan, Pat LaViolette, Pat Wetzel
Also Present: Brian Shoup, Rolf Hansen, Att. Andy Phillips
Judy Friederichs, Audrey Murphy, Dr. J. Tibbits
Supervisors Schuller/Scray
Other Interested Parties/Media

I. Call Meeting to Order:

The meeting was called to order by Chairman Pat Evans at 5:37 p.m.

II. Approve/Modify Agenda:

#9 was taken out of order, although shown in proper format here.

Motion made by Supervisor LaViolette and seconded by Supervisor Andrews to approve the agenda. MOTION APPROVED UNANIMOUSLY

III. Approve/Modify Minutes of May 25, 2010:

Motion made by Supervisor Moynihan and seconded by Supervisor Andrews to approve the minutes. MOTION APPROVED UNANIMOUSLY

Comments from Public:

Report from Human Services Chair, Patrick Evans:

1. Review Minutes of:

- a. **Aging & Disability Resource Center of Brown County Board (May 27, 2010)**
- b. **Human Services Board (May 13, 2010 & June 20, 2010)**
- c. **Joint Board of Health & Human Services Committee (May 25, 2010)**

Motion made by Supervisor Fewell and seconded by Supervisor Wetzel to approve 1a, b, & c. MOTION APPROVED UNANIMOUSLY

Communications:

- 2. Communication from Supervisor Scray re: Review Brown County requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. *Held for one month.***

Supervisor Scray updated the committee regarding this issue, stating that she has had meetings with Economic Support to try to define the problems related to fraud. Many of the cases that have been sent to the DA's office are in the process of being resolved. They are also attempting to follow-up on Supervisor Lund's communication to the Federal Government regarding reimbursement for County fraud investigators.

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

3. **Communication from Supervisor Evans re: To address concerns with the Brown County Sheriff's Department and local Law Enforcement Agencies on the EM-1 Placement of Patients as it relates to the Crisis Center and the Community Treatment Center. Additionally to develop a county-wide plan for all Law Enforcement Agencies to abide by with accordance to enhanced safety and efficiency procedures. *Held for one month.***

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to hold for one month. MOTION APPROVED UNANIMOUSLY

4. **Communication from Supervisor Evans – Request a report from the Brown County Health Department regarding health issues relating to wind turbines as they may affect citizens of Brown County. *Held for one month.* See item #5 below for action.**

Motion made by Supervisor Moynihan and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

Health Department:

5. **Review and Action on Report and Recommendation of Board of Health related to Wind Turbines and Health and Safety Issues:**

Audrey Murphy and Dr. Jay Tibbits of the Board of Health addressed the committee, distributing their written report on Health & Safety Issues related to Wind Turbines (attached). The conclusions and recommendations of their study are included in a resolution and are as follows (attached):

- Wind turbines should be placed such that sound outside of any occupied structure be measured at no greater than 30dB at night.
- Required setback placements should be a minimum of 2,640 to 3,168 feet (.5-.6 mile) between a wind turbine and an occupied structure.
- Wind farms should not be installed in areas of Southern Brown County with Karst features. The historical record of groundwater contamination in the southern Brown County area and the fragile geological formations, when coupled with other potential health concerns deem this area unsafe for installation of a wind farm.
- The Board of Health also recommends a moratorium on wind turbine construction in southern Brown County until P.S.C.W. Chapter 128 (Wind Energy Systems) becomes a valid section of the Wisconsin Administrative Code.

Ms. Murphy presented a binder of information which was used to arrive at their conclusions. The DNR was invited to attend a meeting on June 15th, however, declined. At that meeting the Board of Health went on record supporting the resolution that was passed by the Brown County Land Conservation Committee and the Planning, Development & Transportation Committee, and which is addressed below.

Motion made by Supervisor LaViolette and seconded by Supervisor Andrews to approve the report. MOTION APPROVED UNANIMOUSLY

Land Conservation Director, Bill Hafs, distributed several handouts including the following:

- Conclusions from 2006 Brown Land Conservation Department Investigation re: Morrison well contamination problems
- Communication from State Engineer Ed Odgers
- Communication from Matthew Thorton – Engineer Invenergy
- Resolution (attached) No Action
- February 9, 2007 Final report of the Northeast Wisconsin Karst Task Force
- State Statutes

Mr. Hafs explained the karst features in the Morrison area and distributed photographs. He also explained the tasks that were completed at the time contaminated wells were found.

He recommended that the resolution as presented by the Board of Health and drafted by Corporation Counsel be approved

Motion made by Supervisor Andrews and seconded by Supervisor Moynihan to approve the Resolution from the Brown County Board of Health & Human Services Committee drafted by Corporation Council relative to Health Risks Posed by Wind Turbines. MOTION APPROVED UNANIMOUSLY

(#9 on the agenda taken next)

Human Services Department:

6. Director's Report:

Brian Shoup highlighted the following activities during the last reporting period:

- Budget preparation for post-family care start-up
- Electronic Medical Records Conversion – An RFP was sent out and six proposals received. Dickson-Hughes has reviewed the proposals and has determined there has not been a compliant response. Because of that all proposals will be turned down and the RFP reposted. The conversion faces a deadline of January 1, 2012.
- Meetings with Bellin Behavioral Health Administration have determined that both Bellin and the County share similar challenges, including financing, acute psychiatric inpatient services, reimbursement problems, recruitment, etc.
- Storage of medical records is an issue. Although digital efforts are underway, the process is not expected to be complete for another 1 ½ years.

Motion made by Supervisor LaViolette and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

7. **Maintenance Issues:**

Motion made by Supervisor Moynihan and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

8. **Audit Committee Update:**

Tim Schmitt, Human Services Department Finance Manager, reported that at the request of Director Shoup, he was asked to form an audit committee to study internal controls. The committee will maintain an ongoing vigilance to identify control weaknesses by improving the document process while taking any corrective action necessary. Audit findings will be published.

Motion made by Supervisor Andrews and seconded by Supervisor LaViolette to receive and place on file. MOTION APPROVED UNANIMOUSLY

9. **Family Care/Introduction of Rolf Hanson, Planning Director:**

Rolf Hansen Family Care Planning Director, was introduced, along with Attorney Andy Phillips, representing the Northeast Wisconsin Family Care District.

Attorney Phillips explained that Family Care is a regional approach for managing the long term care benefits and resources for eligible individuals. To be eligible, members must be both financially (Medicaid guidelines) and functionally unable to perform key activities of daily living to be eligible for program services.

Benefits provided to eligible individuals are commonly referred to as waiver services, which are home and community based services provided as alternatives to placing Medicaid beneficiaries in nursing homes, hospitals, or other institutions. Eligible individuals who are not being provided benefits in the current County based system have been placed on waiting lists which include people that are eligible for waiver services but are not receiving services due to funding. The goal of Family Care is to eliminate the current waiting list and the philosophy, Attorney Phillips explained, is "access, choice, quality, and cost-effectiveness, the right service, in the right amount, and the right time".

Family Care will move some of the financial risk from the County to the District. The impact on employment will be determined by each county based on their priorities and plans. The District will contract with the County for care management services on a transitional basis if the county desires. Phillips explained that by Statute, the county contribution is capped at 2006 levels if less than 22% of the base county allocation, or at 22% of the 2006 base county allocation in the fifth year.

Phillips also explained that County employees will be able to apply for positions with the District as there will be an increase in care management positions. Contracted salaries and benefits for County employees that become employees of the District will be maintained per current contracts.

The counties that are involved in the Northeast Wisconsin Family Care Program include Brown, Door, Kewaunee, Marinette, Menominee, Oconto, and Shawano.

Handouts which are included are a brochure, along with information related to Farm Credit Implementation including Timeline, Development & Start-up Activities.

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

10. Budget Transfer from Facilities to Human Services:

Motion made by Supervisor Moynihan and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

**11. Family Care Update:
See #9 above.**

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

**12. Community Treatment Center Update:
Shoup reported that admissions are slightly up including several busy weekends.**

Motion made by Supervisor LaViolette and seconded by Supervisor Wetzel to receive and place on file. MOTION APPROVED UNANIMOUSLY

13. Community Treatment Center Statistics:

Motion made by Supervisor LaViolette and seconded by Supervisor Wetzel to receive and place on file. MOTION APPROVED UNANIMOUSLY

14. Bellin Psychiatric Monthly Report:

A report from Linda Roethle of Bellin Hospital reported there were no transfers of involuntary adolescents to other institutions during the months of May, nor were any admissions refused.

Motion made by Supervisor Fewell and seconded by Supervisor Wetzel to receive and place on file. MOTION APPROVED UNANIMOUSLY

15. Approval for New Non-Continuous Vendor:

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

16. Request for New Vendor Contract:

Motion made by Supervisor LaViolette and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

17. **Monthly Contract Update:**

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

18. **Financial Report for Community Treatment Center and Community Programs:**

Motion made by Supervisor Moynihan and seconded by Supervisor Andrews to receive and place on file. MOTION APPROVED UNANIMOUSLY

19. **Review of Replacement for an Economic Specialist Position in the ES Unit:**
An appointment is expected by the County Executive.

Motion made by Supervisor LaViolette and seconded by Supervisor Fewell to receive and place on file. MOTION APPROVED UNANIMOUSLY

Aging & Disability Resource Center – No Agenda Items

Syble Hopp – No Agenda Items

Veterans Dept – No Agenda Items

20. **Audit of Bills:**

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to approve audit of bills. MOTION APPROVED UNANIMOUSLY

21. **Such other Matters as Authorized by Law:**

Motion made by Supervisor Fewell and seconded by Supervisor Andrews to adjourn at 7:15 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted:

Rae Knippel
Recording Secretary

HEALTH DEPARTMENT

Brown County

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P. O. BOX 23600
GREEN BAY, WI 54305-3600

JUDY FRIEDERICHS, R.N., B.S.N.

PHONE (920) 448-6400 FAX (920) 448-6449 TDD (920) 448-6448

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Director

June 18, 2010

To: Patrick Evans, Chairperson
Brown County Health and Human Services Committee
Brown County Board of Supervisors

From: Audrey Murphy, Chairperson
Brown County Board of Health Members

Re: Requested Written Report on Health and Safety Issues related to Wind Turbines

The Brown County Board of Health has extensively reviewed the following:

1. Invenergy:
Statement on health and safety of existing installations.
2. Wisconsin Department of Health Services
A review of available literature was presented to the Board of Health by the WI Department of Health Services. The department's conclusion was that "evidence does not support the conclusion that wind turbines cause or are associated with adverse health outcomes." They further stated that "gaps remain in our knowledge of the impact that wind energy may have on human health." At this point, they have declined to take a position.
3. Wind Siting Rules given before the Public Service Commission of Wisconsin (5/17/10 text of proposed rule).
4. Various studies from Europe (including Great Britain and Scandinavia), Canada, U.S., Australia, New Zealand; and guidelines from the World Health Organization.
5. Testimony from the Brown County Citizens for Responsible Wind Energy.
6. Presentation from Bill Hafs, Director of the Brown County Land Conservation Department; and Kristin Morehouse, P.E. for Brown County Citizens for Responsible Wind Energy.
7. The Wisconsin Air Medical Council position statement regarding Wind Turbines and Safe Landing Zones, March 2010; and Eagle III Emergency Air and Ground Life Express policy statement.
8. The Board of Health received legal opinions from John Leutscher and Fred Mohr. John Leutscher was present at the June 15th meeting.

5

The Board of Health has identified the following issues of concern:

1. Sound / Noise / Shadow Flicker

Studies reviewed recommend that wind turbines be placed such that sound measurements do not exceed 30 db outside of any occupied structure in order to prevent sleep deprivation and other noise-related health issues. This is based on general World Health Organization guidelines for nighttime noise.

Literature reviews suggest that there should be a minimum setback of 2,640-3,168 feet (.5-.6 mile) between a wind turbine and an occupied structure. This is consistent with existing ordinances in some of the municipalities in the area. This is in contrast to the Wisconsin Public Service Commission (PSC), Chapter 128 proposal which recommended a setback of 1,290 feet from occupied structures; the Board of Health disagrees with the PSC recommendation.

2. Ground Water Contamination

We reviewed presentations by Kristin Morehouse, P.E. of the Brown County Citizens for Responsible Wind Energy; and Bill Hafs, Director of the Brown County Land Conservation Department. Both reports indicate that Southern Brown County's unique topography presents considerable difficulties in safely installing wind turbines or any construction which would disrupt the ground in this area. The density of these Karst features is not replicated anywhere else in the state.

Information presented indicated that from 2005 to 2010, areas of southern Brown County with Karst features characterized by sink holes, fractured bedrock, exposed bedrock and shallow soils over bedrock, have been conduits of serious groundwater contamination caused by runoff from land application of waste near these Karst features, and resulting in pollution of groundwater and contamination of over 100 wells by bacteria, E-coli and nitrates.

Conclusions and Recommendations:

Wind turbines should be placed such that sound outside of any occupied structure be measured at no greater than 30dB at night.

Required setback placements should be a minimum of 2,640 to 3,168 feet (.5-.6 mile) between a wind turbine and an occupied structure.

Wind farms should not be installed in areas of Southern Brown County with Karst features.

The historical record of groundwater contamination in the southern Brown County area and the fragile geological formations, when coupled with other potential health concerns deem this area unsafe for installation of a wind farm.

The Board of Health also recommends a moratorium on wind turbine construction in southern Brown County until P.S.C.W. Chapter 128 (Wind Energy Systems) becomes a valid section of the Wisconsin Administrative Code.

Respectfully Submitted on June 18, 2010


Audrey Murphy, Chairperson
Brown County Board of Health

July 21, 2010

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION REQUESTING THAT THE PUBLIC SERVICE COMMISSION OF
WISCONSIN INCLUDE CONSIDERATION OF THE IMPACT ON GROUNDWATER
DUE TO CONSTRUCTION IN KARST REGIONS OF BROWN COUNTY AS PART OF
THEIR REVIEW OF THE LEDGE WIND ENERGY, LLC, (INVENERGY) WIND
ENERGY PROJECT APPLICATION.**

WHEREAS, Invenergy has submitted an application to the Public Service Commission (PSC) to install 100 wind turbines as part of a wind energy project in southern Brown County; and

WHEREAS, southern Brown County includes areas of Karst features along the Niagara Escarpment; and

WHEREAS, Karst features are geological features that can act as direct conduits for pollutants to enter groundwater, wells, springs, and streams; and

WHEREAS, the University of Wisconsin Green Bay and Brown County Land and Water Conservation Department have mapped and field verified over 100 Karst features in the Town of Morrison; and

WHEREAS, areas of southern Brown County have experienced serious groundwater contamination problems caused by land application of waste near Karst features that resulted in over 100 wells contaminated by bacteria, E-coli, and nitrates from 2005 to 2010; and

WHEREAS, over 30 percent of nearly 300 wells tested in the Town of Morrison by the University of Wisconsin Stevens Point Center for Watershed Studies (2005 and 2006) and the University of Wisconsin Green Bay in 2009 were over the drinking water standard of 10 parts per million of nitrates; and

WHEREAS, the installation of footings, access roads, and cables buried four feet deep for 100 wind energy turbines are likely to intersect Karst bedrock features and potentially create additional conduits for pollutants to groundwater; and

WHEREAS, land application of animal wastes and other wastes including industrial wastes, septic wastes, and municipal wastes near conduits to groundwater increases the risk of groundwater contamination and risks to public health.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors respectfully requests that the Public Service Commission of Wisconsin review the Invenergy application for the wind farm in Brown County and require that Invenergy use proper engineering construction methods around wind turbine footings, access roads, and buried power cables to prevent additional conduits of groundwater from being created; and

BE IT FURTHER RESOLVED THAT the Brown County Board of Supervisors respectfully requests that the Public Service Commission require Invenergy to communicate and provide information regarding the specific location of all Karst features encountered during construction for the proposed wind energy project to the Brown County Land and Water Conservation Department and the Wisconsin Department of Natural Resources (DNR) to help regulate the land application of animal wastes by the Brown County Land and Water Conservation Department and industrial, septic, and municipal wastes by the DNR; and

BE IT FURTHER RESOLVED THAT Brown County respectfully requests that the Public Service Commission require Invenergy to provide funds for a Brown County staff person to be hired to work with Invenergy and residents in the wind farm region during the construction phase of the project regarding location and identification of Karst features; and

BE IT FURTHER RESOLVED THAT this staff person will continue to work in the wind energy project area, throughout the lifespan of the project, with land application of animal waste setbacks, nutrient management, and coordination of other land application of industrial wastes, municipal wastes, and septic wastes with the DNR to prevent future groundwater contamination problems.

Respectfully submitted,

LAND CONSERVATION SUBCOMMITTEE

PLANNING, DEVELOPMENT &
TRANSPORTATION COMMITTEE

Approved By:

COUNTY EXECUTIVE

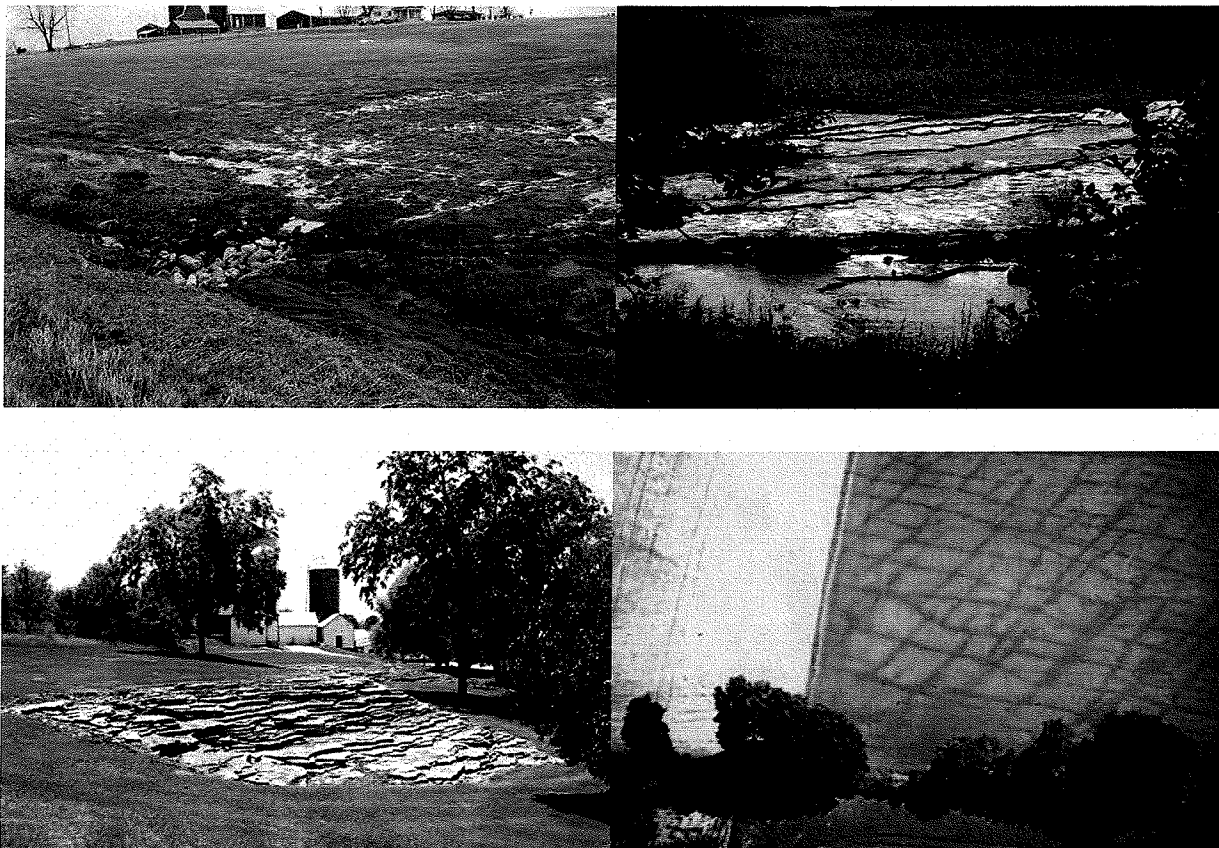
Date Signed: _____

Final Draft Approved by Corporation Counsel

Fiscal Impact: _____

G3836

Final Report of the Northeast Wisconsin Karst Task Force



February 9, 2007

Edited By: Kevin Erb and Ron Stieglitz

LAND APPLICATIONS OF WASTE IN SHALLOW CARBONATE BEDROCK AREAS:

1. Frozen or snow-covered ground and saturated soils

There is a high probability of groundwater contamination when manure is applied to frozen or snow-covered ground or saturated soils in Criteria 1, 2 and 3 in Table 1.

RECOMMENDATIONS:

Hazard	Limitation	Exception/comments
Frozen, snow-covered, saturated soils	No applications of manure in Criteria 1, 2, and 3 areas.	None

2. Soil Depth Restrictions

There is a high probability of groundwater contamination when manure is applied to soils in Criteria 1.

RECOMMENDATIONS:

#	Hazard	Limitation	Exception/comments
1	Land with less than 3 feet of soil to bedrock	No applications of manure.	None
2	Soils 3 to 5 feet to bedrock	Maximum application rates should be 3,000 gal/acre per application (or solid waste ton/ac equivalent) with a maximum application rate of 6,000 gal/yr.	None
3	Soils 3 to 5 feet to bedrock	Shallow incorporation (<10 inches) of all wastes immediately after application. No deep injection of wastes.	None
4	Areas with >5 to 50 feet of soil to carbonate bedrock (Categories 2 and 3)	Incorporation of all wastes immediately after application.	None

TOWN OF MORRISON 2006

- Well contamination reports peak January-May 2006.
- 510 wells tested in Morrison February-May 2006 (Brown County Health Department & UW-Stevens Point).
- Over 100 wells contaminated from coliform bacteria, E-coli, or nitrates.
- 34% of wells tested through UW-Stevens Point in May 2006 exceed the drinking water standard for Nitrates of 10 ppm. The state average is 11.6%.
- Town issued a boiled water order by DNR.
- Town residents on bottled water since February 2006. State-provided bottled water ended in August.
- State legislators changed well compensation program in 2006 to create "Special Area of Well Compensation Eligibility" near Wayside in Morrison Township:
 - * 23 wells replaced in Morrison, total cost to state \$245,098.
 - * Total cost to landowners \$74,756.
 - * Average cost of \$13,906 per well.
- Town of Morrison had approximately 14,533 acres of cropland in 2006.
- Approximately 80% of cropland fields have an approved Nutrient Management Plan (590 standard) for Nitrogen.
- Dairy cows in Morrison have doubled to 8,000 AU in the past decade (3 acres per AU needed for land application of animal waste for phosphorus according to Clemson University). This would require 24,000 acres of cropland in Morrison.
- 2 WPDES permits are located in Morrison.
- Over 1,600 acres of cropland in Morrison have permits through DNR for land application of Industrial, Municipal, and Septic Waste from businesses or haulers in Brown County.
- 2 summer interns are hired and 109 old well sites and numerous karst features located in Township are investigated (see table)
- 37 old unused wells found in Morrison from investigation by LCD.
- Over 200 karst features located in Morrison identified from studies by UW-Green Bay and Brown County Land Conservation Department.
- 51 old wells are properly abandoned in 2006 in Morrison through cost share programs.

KARST FEATURE TYPE	# GPS'ed
Closed depression	22
Exposed bedrock	29
Fractures	8
Ridges	4
Shallow bedrock	22
Sinkhole	25
Spring	6
Spring head	1
Swallow hole	3
Wet spot/tile	1
Wells-current/active	7
Wells-old/not used	37
Wells-properly abandoned	3
TOTAL	168
Wells marked on 1938 air photo to field inventory	109

Conclusions from 2006 Brown County Land Conservation investigation of Morrison well contamination problem.

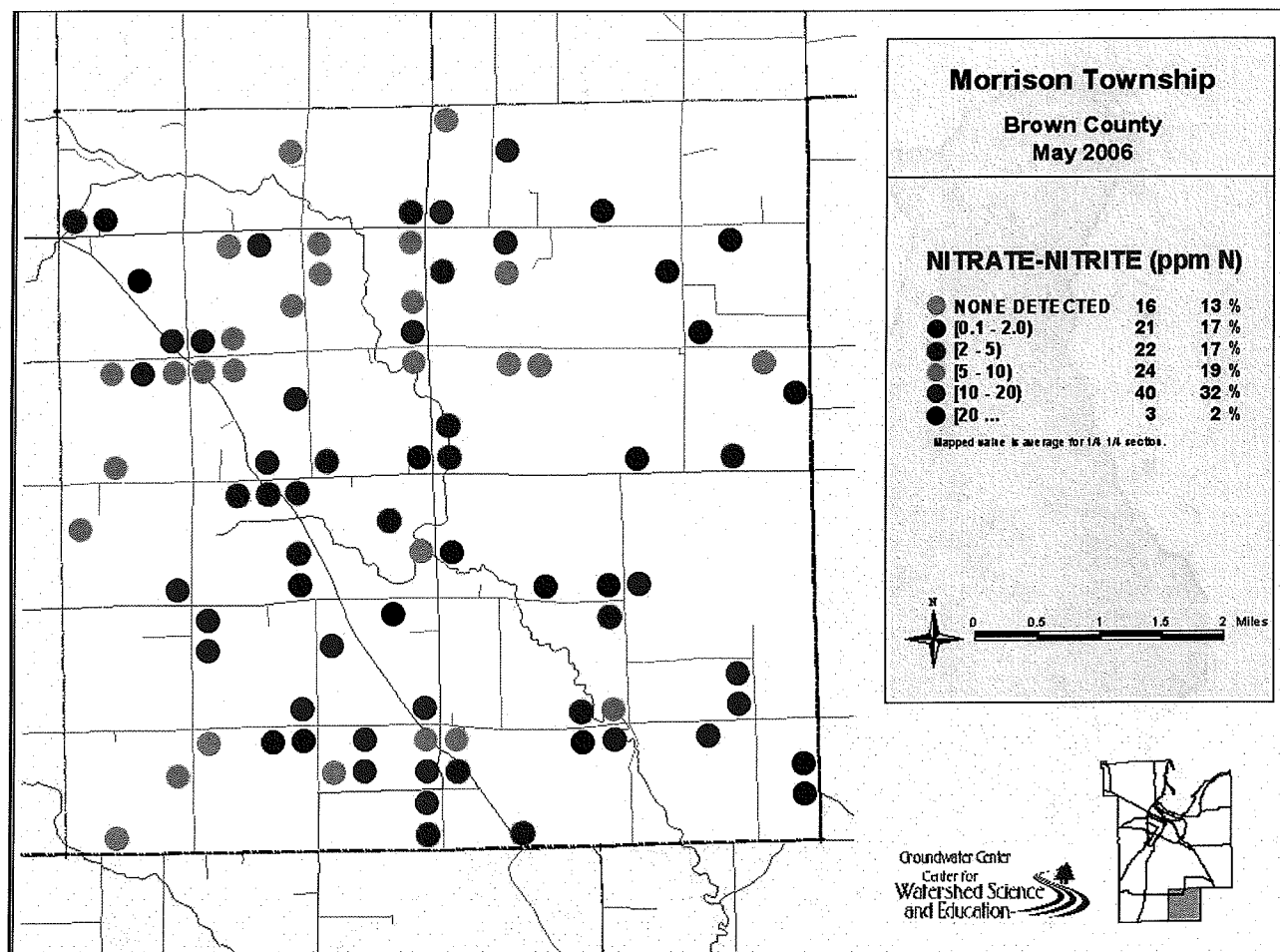
Several factors led to contamination of over 100 wells in Morrison from January to May 2006. A combination of wastes (animal, industrial, municipal, septic wastes) were land applied in the winter of 2006 on frozen ground that has shallow soil or karst features with a direct conduit to the groundwater. Significant rainfall events in January and February contributed to the runoff. Current nutrient management plan (590) requirements, and other land application requirements, were not sufficiently designed or monitored to prevent the pollution of wells in the karst topography of Morrison Township.

(5)

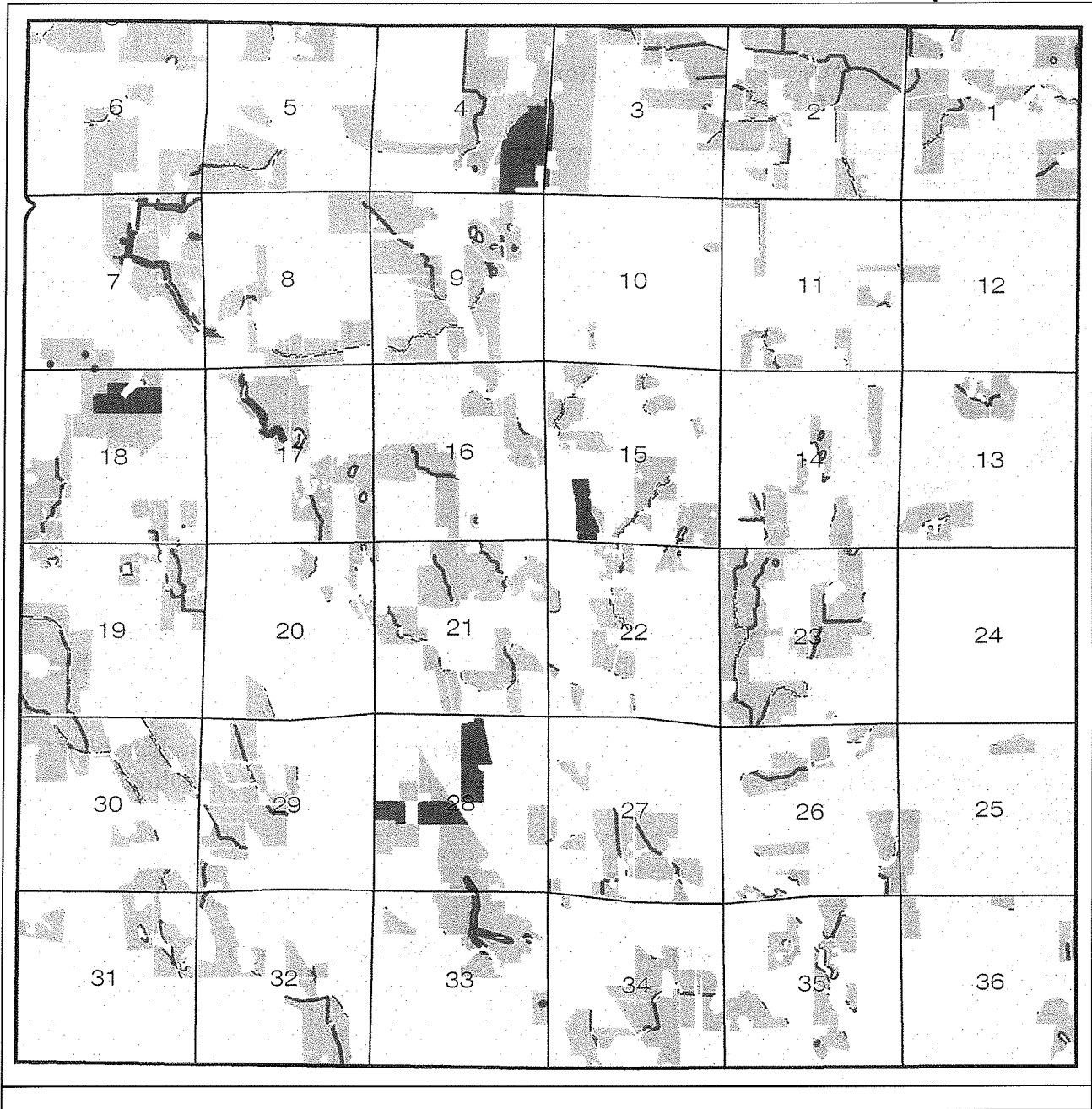
Brown County Land Conservation Committee Actions regarding Karst

- Formed County task force in 2005 on Karst/ Groundwater Chaired by Bernie Erickson which resulted in a plan of actions that were included in 5 year Land and Water Plan and Land and Water Conservation Department annual work plan. Actions included various actions including funding from the state directed at old well abandonment, increased education, mapping of Karst features, well testing, nutrient management planning, and winter spreading plans.
- Formed a Northeast Wisconsin Regional Task force on Karst that included 6 University of Wisconsin professors with expertise on Groundwater. The task force published the ***Final Report of the Northeast Wisconsin Karst Task Force*** in February 2007. This report has been published as a University of Wisconsin publication that includes recommendations for protection of groundwater in Northeast Wisconsin.
- Coordinated well sampling in the Town of Morrison with UW Stevens Point, UW Green Bay and Brown County Health Department on four separate occasions resulting in over 500 well tests being conducted.
- Implemented nutrient management plans with farmers in the Town of Morrison to an estimated level of 80% of cropland are currently covered by a nutrient management plan.
- Land Conservation Committee created a special account of \$40,000 of county dollars to be used for assisting with well sampling other conservation work in the Town of Morrison.
- Enacted winter spreading requirements as part of the Brown County Animal Waste Management Ordinance.
- Promoted State Karst Legislation that was introduced and sponsored by Senator Dave Hansen in 2010.

Nitrate Water Samples by UW Stevens Point May 2006 Morrison



Field Verified Karst Features Morrison Township



Orange = karst features (sink holes, exposed bedrock, shallow soils) field verified by LWCD staff.
Dark Blue = agriculture fields that contact field verified karst features.
Light Blue = agriculture fields with no field verified karst features.
White = non agriculture land.

Communication from State Engineer Ed Odgers.

-----Original Message-----

From: Odgers, Ed J - DATCP [mailto:Ed.Odgers@Wisconsin.gov]

Sent: Wednesday, January 13, 2010 4:17 PM

To: Hafs BC

Subject: Wind

Hi Bill,

Finally getting back to you about your questions concerning burial of power cables for wind farms. I questioned Pete Nauth in our Bureau about this. Pete develops Ag Impact statements for public works projects such as pipelines, power lines, etc. He is also our most knowledgeable person on wind projects. Here are a few conclusions that came out in our conversation:

- Most wind projects bury cable with trenching equipment that doesn't displace soil nor is a bedding material used.
- Pipeline burial methods use granular bedding material and could contribute to the conveyance of surface runoff to creviced bedrock.
- Pete wasn't aware of any problems or concerns similar to that which you described but we both agreed that it is possible.
- The more common concerns with pipeline and buried cable installations in ag fields is soil compaction, soil settlement, loss of topsoil or mixing of subsoil with topsoil, and exposed rocks.
- Pete suggested that the easements that are developed for these projects could be written to address risks and ensure mitigation. Spreading restrictions or specifying management practices such as incorporation could be required.
- If you want to speak with Pete, his number is 608-224-4650.
- Here are a few preventive practices to consider:
- Avoid trenching and bedding or, if necessary, the bedding material should contain fines to restrict percolation and liquid transport. Crushed limestone fines, crushed rotten granite and other equivalent materials may make suitable bedding materials yet they would minimize water movement.
- If excavation exposes creviced bedrock, place a layer of filter fabric over the rock surface prior to bedding of cable to prevent collapse of soil materials into crevices, thereby avoiding the formation of surface depressions or sink holes.
- Ensure that the excavation is properly backfilled and compacted such that there won't be a depression, after settlement, to collect and channel runoff.
- Require thorough soil mixing, with disc or field cultivator, of the disturbed area following installation.
- Require future applications of manure to be incorporated.

Just some ideas to add to your list.

This is a new one for us. Good luck;
Ed Odgers
DATCP State Engineer

- Review wind facility locations with respect to the karst feature map provided by Bill Hafs and confirm that the data has been included in Invenenergy's site analysis. Confirmation of this review will be included in the revised PSC CPCN Application for the project.
- Identify means by which an independent testing agency will review and verify the proper installation of subsurface wind facilities, in order to prevent groundwater migration, and communicate findings to county agencies. This testing and reporting methodology will be included in the revised PSC CPCN Application for the project.

Please feel free to contact me with any questions or comments. Thanks.

Matthew Thornton| Invenenergy LLC | 1 S. Wacker Suite 1900 | Chicago, IL 60606 | P: (312) 582-1527 | C: (417) 838-0025 | F: (312) 506-1455 |

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Chapter NR 243 Animal Feeding Operations

The purpose of this chapter is to implement design standards and accepted management practices and to establish permit requirements and the basis for issuing permits to CAFOs. This chapter also establishes the criteria under which the department may issue a notice of discharge or a permit to other animal feeding operations that discharge pollutants to waters of the state or fail to comply with applicable performance standards and prohibitions in ch. NR 151.

"Direct conduits to groundwater" mean wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater quarries, or depressional groundwater recharge areas over shallow fractured bedrock.

"Frozen ground" means soil that is frozen anywhere between the first ½" and 8" of soil as measured from the ground surface.

"Swallet" means a sinkhole or rock hole that intercepts a stream, diverting all or a portion of it to groundwater.

"Water quality management area" or "WQMA" has the meaning in s.NR 151.015(24)

"Water quality management area" or "WQMA" means the area within 1,000 feet from the ordinary high water mark of navigable waters that consist of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake, the term means the area within 1,000 feet from the high water mark of the lake; the area within 300 feet from the ordinary high water mark of navigable waters that consist of a river or stream; and a site that is susceptible to groundwater contamination, or that has the potential to be a direct conduit for contamination to reach groundwater.

Chapter NR 151 Runoff Management

"Site that is susceptible to groundwater contamination" under s. 281.16 (1) (g), Stats. means any one of the following:

- (a) An area within 250 feet of a private well.
- (b) An area within 1000 feet of a municipal well.
- (c) An area within 300 feet upslope or 100 feet down slope of karst features.
- (d) A channel with a cross-sectional area equal to or greater than 3 square feet that flows to a karst feature.
- (e) An area where the soil depth to groundwater or bedrock is less than 2 feet.
- (f) An area where the soil does not exhibit one of the following soil characteristics:
 - 1. At least a 2-foot soil layer with 40% fines or greater above groundwater and bedrock.
 - 2. At least a 3-foot soil layer with 20% fines or greater above groundwater and bedrock.
 - 3. At least a 5-foot soil layer with 10% fines, or greater above groundwater and bedrock.

COUNTIES

- ♦ Brown
- ♦ Door
- ♦ Kewaunee
- ♦ Marinette
- ♦ Menominee
- ♦ Oconto
- ♦ Shawano

NORTHEAST WISCONSIN FAMILY CARE

Information for

Elected & Appointed Officials

Northeast Wisconsin Family Care

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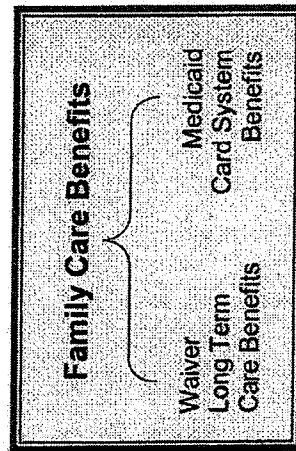
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FAMILY CARE

What is Family Care?

- Family Care is a regional approach for managing the long term care benefits and resources for eligible individuals.
- Benefits provided to eligible¹ individuals are commonly referred to as "waiver services"². Eligible individuals who are not being provided benefits in the current county based system have been placed on waiting lists³.
- The goal of Family Care is to eliminate current waiting lists.
- The philosophy of Family Care is "access, choice, quality and cost-effectiveness, the right service, in the right amount, at the right time".
- Family Care is person-centered, outcome-driven.



¹ Members must be both financially (Medicaid guidelines) and functionally (unable to perform key activities of daily living) eligible for program services.

² Waiver services are home and community based services provided as alternatives to placing Medicaid beneficiaries in nursing homes, hospitals or other institutions.

³ Waiting list includes people that are eligible for waiver services but are not receiving services due to funding.

What are Long Term Care Benefits?

- Long term care benefits include:

Adaptive aids *general and vehicle*
 Adult day care
 Alcohol/drug abuse day treatment services
 Care/case management
 Communication aids/interpreter
 Community support programs
 Consumer/self-directed support
 Education/training
 Counseling & therapeutic services
 Daily living skills training
 Day services/treatment
 Durable medical equipment *except hearing aids/prosthetics*
 Occupational therapy
 Personal care/emergency response systems
 Home health/modifications
 Housing counseling
 Home meal delivery
 Mental health day treatment services *all settings*
 Nursing facilities/services

Who are the consumers Family Care covers?

- Consumers must meet the following criteria to be eligible for Family Care:
 1. Eligible for Medicaid
 2. Otherwise eligible to receive services in a nursing home
 3. At least 65 years old, or 18 years old with a physical/developmental disability
- This includes adults currently on Medicaid long term care waivers or on waiting lists for waiver services. (Waiver services cover eligible physically disabled, developmentally disabled and frail elderly individuals.)

What effect will Family Care have on the county?

- Some long term care programs and related financial risk will move to the District.
- The impact on county employment will be determined by each county based on their priorities and plans.
- The District will contract with the County for care management services on a transitional basis if the county desires.
- By statute, the county contribution is capped at 2006 levels if less than 22% of the base county allocation or at 22% of the 2006 base county allocation in the fifth year⁴.

What effects will Family Care have on the county employees?

- County employees will be able to apply for positions with the District.
- There will be an increase in care management positions in the District.
- Contracted salaries and benefits for County employees that become employees of the District will be maintained per current contracts.

⁴ The Community Options Program (COP) portion of the initial contribution is based on the last two years.

January 2010



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Timeline	July-10	August-10	September-10	October-10	November-10	December-10	January-11	February-11	March-11	April-11	May-11	June-11	July-11	August-11	September-11	October-11	November-11	December-11	January-12	February-12	March-12
Consumer Board Members Selected																					
Counties Pass 1st Resolution to Create District																					
Seat New FC Board																					
Board provides notice to Wisconsin Retirement Board																					
Board hires Chief Executive Officer																					
State issues Procurement RFP for FC																					
New FC Responds to RFP																					
State issues intent to Contract with NEW FC																					
Counties Pass 2nd Resolution to Authorize District to Contract with State																					
NEW FC certified as MCO																					
GO LIVE																					

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Major Planned Development and Start Up Activities

The following are major planned activities and decisions:

Third and Fourth Calendar Quarters 2010 (July 1-December 31, 2010)

- Establishment of District Board and appoint Board members by November 1, 2010
- District Board notification to the Wisconsin Retirement Board by November 15, 2010 that District intends to begin employment in 2011
- Hiring of additional staff person skilled in care management and operations
- Updating of waiver and wait lists for projecting MCO enrollment
- Completion of initial analysis of potential care management and care service needs (Phase 1 Analytical Support)
- Additional consumer and stakeholder meetings held
- Completion of initial meetings with providers expected to be in the network
- Completion of initial assessment of provider network and identifying any gaps
- Provide information to providers of any additional capabilities that NEW FC may require
- Continued training of current care management staff on care management and care coordination in Family Care
- Determine enrollment plan including the order and timing of county enrollment
- Determine Tribal interest in NEW Family Care governance, care management and service provision
- Development of NEW FC Care Management Model
- Strong encouragement of current county care management staff to begin using the Resource Allocation Decision methodology if they have not already done so
- Make initial contacts with claims processing vendors from DHS approved list and care management software vendors
- Make initial contact with potential banking relationship vendors
- Prepare initial listing of MCO policies that will need to be developed
- Identify transition related issues and processes
- Prepare readiness assessment for responding to State Procurement RFP expected second calendar quarter 2011

First Calendar Quarter 2011 (January 1-March 31, 2011)

- District Board completes initial organization with by-laws, selects officers and initial Board policies
- District Board establishes subcommittees
- District Board selects District Executive Director (CEO)
- District Board determines extent of Board training and initiates training
- Recruit Human Resources Manager and develop initial draft human resources plan
- Begin formal review of claims processing vendors from DHS preferred list
- Issue RFI for care management software system if State has not developed preferred list
- Complete initial due diligence for general ledger accounting system and payroll system
- Develop provider contract templates
- Begin developing draft MCO policies
- Care Management Committee develops Utilization Review, Quality and Member Relations plan, policies and assignment of responsibility.

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- Develop strategies and MOUs for coordination with counties in Adult Protective services, IMDs, transitioning of children with disabilities, crisis services, and disaster planning
- Determine services to be provided by MCO versus counties such as behavioral health, representative payee, guardianships, Adult Family Home certifications, SSI E certifications
- Establish Enrollment and Eligibility Committee to include ADRCs and Economic Support to develop Family Care Access Plan, county specific plans for rollovers/transitions and Wait List Policies
- Establish provider advisory committee
- Complete final readiness assessment by end of the quarter to request State RFP at start of second quarter
- Additional consumer and stakeholder meetings held

Second Calendar Quarter 2011 (April 1-June 30, 2011)

- NEW FC notifies State DHS that it is ready for the Procurement RFP
- State issues Procurement RFP
- NEW FC responds to State Procurement RFP
- Develop three year cash flow projections identifying working capital requirements
- Information Plan developed to support Care Management Operations
- Claims processing vendor and Care Management software vendor selected contingent upon NEW FC receiving Intent to Contract from State
- Recruit CFO/Controller, Manager of Data Analysis and Reporting, Manager of Network Development and Management, and Manager of Network Information Technology
- Facilities plan developed to support planned MCO operational model
- Continue developing MCO policies
- Prepare for State certification
- Finalize plans for Tribal involvement in governance, service provision and care management
- Develop aggregate provider budget and first year operational budget (Phase 2 Analytical Support)
- Additional consumer and stakeholder meetings held
- Hire Human Resources Manager
- Finalize Human Resource Plan

Third Calendar Quarter 2011 (July 1-September 30, 2011)

- State Intent to Contract assumed to be received early in quarter
- County Boards pass resolution to enter into contract with State
- Prepare first year operational budget request
- Complete 80% of provider network contracting
- Complete certification process
- Initiate recruitment of first level supervisory staff for care management
- Finalize overall staffing plan and begin recruitment efforts
- Implement facilities plan

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- Complete hiring of CFO/Controller, Manager of Data Analysis, Manager of Network Development and Management, and Manager of Network Information Technology
- Finalize banking relationship including setting up accounts
- Arrange for working capital once NEW goes operational in 2012
- Complete contracts with counties and tribes for selected services
- Recruit for Director of Care Management and Supervisory care management staff, Enrollment Coordinator and Quality Manager
- Additional consumer and stakeholder meetings held

Fourth Calendar Quarter 2011 (October 1-December 31, 2011)

- Obtain MCO Certification
- Provide training for providers
- Develop final Access plan and all Eligibility and Enrollment processes and training complete
- Hire additional staff for claims processing, network technology, training, and other infrastructure positions
- Hire initial set of care managers and RNs for initial enrollment beginning March 1, 2012
- Provide training of staff on claims systems and care management software
- Test claims and care management software systems
- Load claims system with provider information including provider identification number, negotiated provider rates and State determined rates
- Complete remaining provider contracts
- Develop and implement process for obtaining information from counties on current waiver clients that will be enrolled in NEW
- Complete 2012 State Contract
- Test bank processes for cash disbursements
- Set up general ledger accounting system
- Set up payroll system
- Set up all remaining administrative processes
- Additional consumer and stakeholder meetings held

January and February 2012

- Train initial set of care managers and RNs for March 1 rollover
- Complete integrated testing of claims processing and care management systems
- Begin initial RN assessment January 31 for March 1 rollover
- Hire next set of care managers and RNs for April and May rollovers
- Continue training of staff
- Additional consumer and stakeholder meetings held

NEW Family Care is located at 2701 Larsen Road, Green Bay, WI 54303. NEW staff can be contacted at rolf.hanson@new.rr.com; telephone 920 857-9854; and debbie.peterson@new.rr.com; telephone 920 857-9997.

Meeting announcements, minutes and updates are available on the Northeast Wisconsin Family Care website: www.northeastwisconsinfamilycare.com.